



P&G Case 9393

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :
John Collin Dyer, et al. : Confirmation No.
Serial No. To Be Assigned : Group Art Unit
Filed October 27, 2003 : Examiner

For Tampon with Enhanced Leakage Protection

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made below in a Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in § 1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. § 1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. § 1.56(b).

1. ☒ 37 C.F.R. § 1.97 (b)(1) - U.S. Direct (within 3-months of filing a regular application or converted provisional)

This information disclosure statement, submitted under 37 C.F.R. § 1.97 (b)(1), is being filed within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☐ 37 C.F.R. § 1.97 (b)(2) - Via PCT (within 3 mo. of Nat'l Stage Entry)

This information disclosure statement, submitted under 37 C.F.R. § 1.97 (b)(2), is being filed within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application. Therefore, no fee is believed to be due.

3. ☐ 37 C.F.R. §1.97 (b)(3) - (>3 mo. after filing direct or nat'l stage entry, but before 1st O.A.)

This information disclosure statement is being submitted under 37 C.F.R. §1.97 (b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter is enclosed to facilitate charging of the fee, if necessary.

THE FOLLOWING IS ADDITIONAL INFORMATION PERTAINING TO (2) OR (3) MARKED WITH AN (X) ABOVE.

(a) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that both a copy of the International Search Report and copies of the references cited therein are present in the national stage file. In accordance with MPEP §1893.03(g), it is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(b) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that a copy of the International Search Report is present in the national stage file. Copies of the references cited in that report are enclosed.

(c) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 does not indicate that a copy of the International Search Report and copies of the references cited are present in the national stage file. Copies of the International Search Report and references are attached.

4. ☐ 37 C.F.R. §1.97 (b)(4) - (before the mailing of a first Office Action after the filing of a request for continued examination under §1.114)

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(4), is being filed with the Request for Continued Examination (RCE) under 37 C.F.R. §1.114.

5. ☐ Information to be Considered with CPA Filing. This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 CFR 1.53(d).

6. ☐ 37 C.F.R. §1.97(c) with fee payment - (use after 1st Office Action & before Final Office Action or Notice of Allowance)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle*) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter (or a fee transmittal form) is enclosed to facilitate the charging of the fee.

ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

☐ (1) Copies of the cited references were previously cited by or submitted to the USPTO in prior application Case No. ____, U.S. Patent Application Serial No. __, filed __. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of those documents are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d).

OR

☒ (2) Copies of the cited foreign documents are enclosed.

OR

☐ (3) Copies of all said documents, except document No.'s _____, were submitted and considered in parent application U.S. Patent Application Serial No. _____, filed _____. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of document No.'s _____ are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of document No.'s _____ are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

☐ (4) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

☐ (5) Applicants also respectfully request the Examiner to consider and make of record the copending applications listed on the attached page.



Additional information is attached.

Respectfully submitted,

By Bridget D. Ammons
Bridget D. Ammons
Attorney or Agent for Applicant(s)
Registration No. 52,555
(513) 634-1873

Date: October 27, 2003

Customer No. 27752

(IDS.doc)
(Last Revised 4/4/2003)

German Patent Publication DE 296 15 883

This publication appears to show a tampon having two spaced-apart absorbent sections attached to a cord.

This publication was cited as an “A” reference by the EPO in the International Search Report.

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PTO/SB08A/B (04-03)

Approved for use through 04/30/2003. OMB 0651-0031

Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

SHEET 1 of 1

COMPLETE IF KNOWN

Application Number	To Be Assigned
Confirmation Number	To Be Assigned
Filing Date	October 27, 2003
First Named Inventor	John Collins Dyer, et al.
Group Art Unit	To Be Assigned
Examiner Name	To Be Assigned
Attorney Docket Number	9393

U. S. PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	DOCUMENT NUMBER		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)				
		US-1,731,665		10-15-1929	Huebsch	
		US-2,123,750		07-12-1938	Schulz	
		US-2,412,391		12-10-1946	Crockford	
		US-2,464,310		03-15-1949	Harwood	
		US-2,566,190		08-28-1951	Greiner	
		US-3,013,558		12-19-1961	Leupold	
		US-3,037,506		06-05-1962	Penska	
		US-3,058,469		10-16-1962	Crockford	
		US-3,101,714		08-27-1963	Penska	
		US-3,135,262		06-02-1964	Kobler	
		US-3,420,234		01-07-1969	Phelps	
		US-3,572,341		03-23-1971	Glassman	
		US-3,674,029		07-04-1972	Bates	
		US-3,732,866		05-15-1973	Accavallo	
		US-3,854,481		12-17-1974	Messing	
		US-3,905,372		09-16-1975	Denkinger	
		US-3,948,257		04-06-1976	Bossak	
		US-3,965,905		06-29-1976	Schoenholz	
		US-3,995,636		12-07-1976	Murray	
		US-4,077,408		03-07-1978	Murray	
		US-4,217,900		04-19-1980	Wiegner	
		US-5,047,024		09-10-1991	Glassman	
		US-5,112,348		05-12-1992	Glassman	
		US-5,458,589		10-17-1995	Comin-DuMong	
		US-5,718,675		02-17-1998	Leijd	
		US-5,800,338		09-01-1998	Kollerup	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	FOREIGN PATENT DOCUMENT			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
		DE	296 15 883 U1		09-12-1996	Weidner		
		GB	871689		06-28-1961	Tampax Inc		

NON PATENT LITERATURE DOCUMENTS

NON-PATENT LITERATURE DOCUMENTS			
EXAMINER INITIALS*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶
EXAMINER		DATE CONSIDERED	
EXAMINER: Initial if reference considered, whether patent literature or not			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.